

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-24227-CIV-ALTONAGA/Goodman

JASON MILLER,

Plaintiff,

v.

GIZMODO MEDIA GROUP, LLC, *et al.*,

Defendants.

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**ORDER**

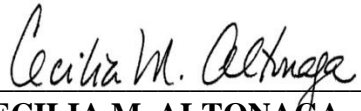
**THIS CAUSE** came before the Court at a January 14, 2019 Hearing (*see* [ECF Nos. 46, 59]) on the Gizmodo Defendants' Motion to Dismiss [ECF No. 44] and Plaintiff, Jason Miller's Motion for Leave to Amend [ECF No. 57]. Being fully advised and for the reasons stated in open court, it is

**ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Motion for Leave to Amend **[ECF No. 57]** is **DENIED**.
2. The Gizmodo Defendants' Motion to Dismiss **[ECF No. 44]** is taken under advisement. Upon further review, the Court believes it would benefit from additional briefing. Assuming, without deciding, the Supplement was in fact sealed in the state court proceedings before September 21, 2018, as Plaintiff maintains, the parties shall address whether the application of the sealed order to the Gizmodo Defendants would constitute an impermissible prior restraint. The Gizmodo Defendants shall file their supplemental brief by **January 18, 2019**. Plaintiff shall file a response by **January 23, 2019**. The Gizmodo Defendants may file a reply memorandum by **January 25, 2019**.

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**DONE AND ORDERED** in Miami, Florida, this 14th day of January, 2019.

  
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**CECILIA M. ALTONAGA**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record